



Legislative Bulletin.....December 6, 2005

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$117.3 million over five years

Effect on Revenue: \$0

Total Change in Mandatory Spending: approximately \$3 million over three years

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: possibility of 1

Number of Bills Without Committee Reports: 9

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 1

H.R. 585 — Gateway Communities Cooperation Act — *as amended* (Radanovich, R- CA)

Order of Business: The bill *as amended* is scheduled for consideration on Tuesday, December 6, 2005, under a motion to suspend the rules and pass the bill. A similar bill passed the House in the 108th Congress on July 19, 2004.

Summary: H.R. 585 would require federal land managers to communicate, coordinate, and cooperate with gateway communities (areas significantly affected by planning and management decisions regarding federal lands abutting or close to their communities). The relevant Secretary (Interior or Agriculture, as appropriate) would be required to involve local elected and appointed officials of gateway communities in the development of land use plans, programs, land use regulations, land use decisions, transportation plans, general management plans, and any other plans or decisions that are likely to have a significant impact on the community. At the request of the community, the relevant Secretary would be required to provide training sessions to help officials better understand the agency planning processes and technical assistance through temporary available personnel to help communities develop land use or management plans. The amended bill removes the authorization of appropriations for these training and technical assistance provisions that was included in the introduced bill.

The relevant Secretary is authorized to enter into cooperative agreements with gateway communities to coordinate certain management plans. In addition, the bill allows a gateway community to be recognized as a cooperating agency under the National Environmental Policy Act if an environmental impact statement is required.

All of these provisions are sunset ten years after the date of enactment.

Committee Action: H.R. 585 was introduced on February 2, 2005, and referred to the Committee on Resources and the Committee on Agriculture. Neither committee considered the bill.

Cost to Taxpayers: The bill as amended authorizes no specific expenditures and therefore the required activities authorized would fall under the current agency budgets.

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill adds to statute certain required cooperation between the Federal Government and gateway communities, much of which, according to the sponsor's office, currently occurs in a less formalized manner.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A Committee Report citing constitutional authority is unavailable.

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H.R. 3812 — To authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River, and for other purposes — as amended (Pombo, R-CA)

Order of Business: The bill *as amended* is scheduled for consideration on Tuesday, December 6, 2005, under a motion to suspend the rules and pass the bill. A similar bill (H.R. 4045) passed the House last year on September 22, 2004, by voice vote.

Summary: H.R. 3812 authorizes \$3.3 million for the federal share (limited at 50 percent) of a study to determine the feasibility of constructing a project “to provide additional water supply and improve water management reliability through the development of new water storage and conjunctive use programs” on or near the Mokelumne River in San Joaquin County, California. The study is to be completed within two years following enactment, through the Bureau of Reclamation and in consultation and cooperation with the Mokelumne River Water and Power Authority, and is to be submitted to the House Resources and Senate Energy and Natural Resources Committees. The Interior Department shall accept reports, other relevant information, and in-kind contributions from local water users as part of this effort.

Additional Information: According to the committee, this San Joaquin County’s population growth, highly significant groundwater overdraft and associated saline intrusion from the Bay-Delta, have prompted local officials to seek a more dependable and reliable water supply for the region. As a result, many have looked to capture flood flows on the Mokelumne River as a primary method to provide added water supply benefits. Project supporters report that it could produce up to a 65,000 acre feet added yield of water.

Committee Action: H.R. 3812 was introduced on September 15, 2005, and referred to the Committee on Resources, which took no official action.

Cost to Taxpayers: A CBO cost estimate is unavailable, though the bill specifically authorizes \$3.3 million for the study, subject to appropriations. The bill is not specific as for which year the funds are authorized.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill authorizes a new study.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No. Any state or local government choosing to participate in this study would do so voluntarily.

Constitutional Authority: A Committee Report citing constitutional authority is unavailable.

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H. R. 4195 — Southern Oregon Bureau of Reclamation Repayment Act of 2005 — *as introduced (Walden, D-OR)*

Order of Business: The bill is scheduled for consideration on Tuesday, December 6, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4195 permits any landowner within the Rogue River Valley Irrigation District or within Medford Irrigation District, in Oregon, to repay, at any time, the construction costs of the project facilities allocated to that landowner's lands within the district in question. The bill specifies that nothing in H.R. 4195 modifies contractual rights that may exist between Rogue River Valley Irrigation District and Medford Irrigation District and the United States under their respective Reclamation contracts, or amends or reopens those contracts; nor does it modify any rights, obligations or relationships that may exist between the districts and their landowners as may be provided or governed by Oregon state law.

Once the landowner has repaid the construction costs in full, and at his request, the Secretary of the Interior shall provide the certification provided him with under the Reclamation Reform Act of 1982.

Additional Information: According to CBO, currently, the Rogue River Valley, Talent, and Medford Water Districts receive water from the Bureau of Reclamation's (BOR's) Rogue River Project, located in southern Oregon. Each district has a contract with BOR that specifies terms for repayment of the construction costs of facilities used to provide water to each district. Only the contract with the Talent Water District provides for early repayment of construction costs by landowners. Enacting H.R. 4195 would authorize any landowner within either the Rogue River Valley Irrigation District or the Medford Irrigation District to repay, at any time, the construction costs for federal water projects.

Committee Action: H.R. 4195 was introduced on November 1, 2005, and referred to the Committee on Resources, which considered the bill and reported it to the full House by unanimous consent on November 16, 2005.

Cost to Taxpayers: CBO estimates that implementing this bill would increase offsetting receipts (from the early repayment of construction costs) in 2006 by about \$70,000. In other words, the U.S. Treasury will receive \$70,000 in one year, which is scored as lowering mandatory spending. Because of the early repayment of the costs, the federal government would no longer receive payments of about \$4,000 each year through 2026.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A Committee Report citing constitutional authority is unavailable.

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S. 52 — To direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah (Sen. Hatch, R-UT)

Order of Business: The bill is scheduled to be considered on Tuesday, December 6, 2005, under a motion to suspend the rules and pass the bill.

Summary: S. 52 directs the Secretary of the Interior to (without consideration) convey to Beaver County, Utah, all rights, title, and interest of the United States to the approximately 200 acres depicted as “Minersville State Park” for use for public recreation. The legislation provides that Beaver County may sell, for not less than fair market value, a portion of the property conveyed to the County, if the proceeds of such sale are used by the County solely for maintenance of public recreation facilities located on the remainder of the property conveyed to the County. If the County does not comply with these requirements in the conveyance of the property, the County would have to pay to the United States the proceeds of the conveyance, and the Secretary of the Interior may require that all property conveyed, other than the property sold by the County, revert to the United States.

Additional Information: According to GSA, as of September 30, 2004, the federal government owned 57.5 percent of the land in Utah.

Committee Action: On July 26, 2005, the bill was received in the House from the Senate, and was referred to the House Committee on Resources, which took no official action.

Cost to Taxpayers: A CBO cost estimate for S. 52 is unavailable.

Does the Bill Expand the Size and Scope of the Federal Government?: No. This bill reduces the size of government by conveying federal land holdings.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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S. 212 — Valles Caldera Preservation Act of 2005 (Sen. Domenici, R-NM)

Order of Business: The bill is scheduled to be considered on Tuesday, December 6, 2005, under a motion to suspend the rules and pass the bill.

Summary: S. 212 allows the Secretary of Agriculture to obtain the mineral rights to the Valles Caldera Preserve (previously known as the Baca Ranch) in New Mexico. The bill provides a contingency plan in case the deal fails to be completed, allowing the federal government to condemn the land and provide just compensation.

Under current law, the Valles Caldera Trust is a wholly owned government corporation, which manages and administers the Valles Caldera Preserve. S. 212 directs the Trust to determine the character of, and the necessity for, any obligations and expenditures of the Trust and the manner in which obligations and expenditures are to incurred, allowed and paid. The bill specifically lists individuals (such as members of the Board of Trustees) permitted to solicit and accept donations to the Trust.

S. 212 permits the chair of the Board of Trustees for the Valles Caldera Trust to request to be compensated at a rate determined by the Board, but not to exceed the daily equivalent of the annual rate of pay for a Level IV on the GS Scale (in the range of \$22,000 - \$28,000 annually). The legislation also permits the Trust to dispose of forage, forest products, or marketable renewable resources. Finally, the Secretary is directed to develop a plan to carry out fire preparedness, suppression, and emergency rehabilitation services on the preservation.

Additional Information: The federal government originally obtained this land in 2000, and according the House Resources Committee, transferring the mineral rights to the government was inadvertently left out of the original legislation. This bill seeks to address this issue, as well as provide that the issue not be further addressed by legislative means. Additionally, when the land was originally conveyed to the U.S., the land was to be managed by the established Trust, which is a new method for the management of federal lands.

Committee Action: On July 27, 2005, the bill was received in the House from the Senate, and was referred to the House Committee on Resources, which took no official action.

Cost to Taxpayers: According to CBO, enactment of S. 212 would increase direct spending by approximately \$3 million over the 2005-2008 period.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: According to CBO, if the government resorts to condemning the land in order to acquire the mineral rights, this would constitute an unfunded private-sector mandate. According to the House Committee on Resources, this is highly unlikely, as the sellers are willing participants.

RSC Staff Contact: Joelle Cannon; joelle.cannon@mail.house.gov, (202) 226-9717.

S. 279 — A bill to amend the Act of June 7, 1924, to provide for the exercise of criminal jurisdiction (Sen. Domenici, R-NM)

Order of Business: The bill is scheduled to be considered on Tuesday, December 6, 2005, under a motion to suspend the rules and pass the bill.

Summary: S. 279 provides that jurisdiction over offenses committed anywhere within the exterior boundaries of any land grant from a prior sovereign, under certain circumstances, to a Pueblo Indian tribe of New Mexico, are to be as follows:

- the Pueblo tribe has jurisdiction over any offense committed by a member of the Pueblo or an Indian, or by any other Indian-owned entity;
- the United States has jurisdiction over certain federal offences (outlined in chapter 53 of Title 18 of the U.S. Code), United States Code, committed by or against an Indian or any Indian-owned entity, or that involves any Indian property or interest; and
- the State of New Mexico has jurisdiction over any offense committed by a person who is not a member of a Pueblo or an Indian, which offense is not subject to the jurisdiction of the United States.

Additional Information: According to a floor statement made by Senator Domenici, “State case law currently holds that the State of New Mexico does not have jurisdiction to prosecute crimes that occur on privately held land within the exterior boundaries of a Pueblo. Federal case law holds that the Federal Government does not have jurisdiction to prosecute crimes that occur on these lands. Read in tandem, these court decisions lead to the result that neither federal, state nor tribal law-enforcement officials have jurisdiction on thousands of acres of privately owned lands within the boundaries of Indian pueblos. As a result, in recent years there have been stabbings, criminal sexual-contact cases, and aggravated battery charges that have stalled in court over jurisdiction questions.”

Committee Action: On July 27, 2005, the bill was received in the House from the Senate and referred to the House Committee on Resources, which took no official action.

Cost to Taxpayers: A CBO cost estimate for S. 279 is unavailable.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.R. 1129 — Pitkin County Land Exchange Act of 2005 — *as amended* (Udall, D-CO)

Order of Business: The bill is scheduled to be considered on Tuesday, December 6, 2005, under a motion to suspend the rules and pass the bill, as amended.

Summary: H.R. 1129 the Secretary of Agriculture to accept from Pitkin County, Colorado, an offer of the approximately 35 acres of non-Federal land in the County, generally known as “Ryan Land Exchange-Ryan Property Conveyance to Forest Service” and the approximately 18.2 acres of non-Federal land located on Smuggler Mountain in the County, generally known as the “Ryan Land Exchange-Smuggler Mountain-Grand

Turk and Pontiac Claims Conveyance to Forest Service.” Upon receipt of this title, or at the request of the County, the U.S. is to convey to the Aspen Valley Land Trust, all rights, title, and interest of the United States in and to the following parcels of land:

- “the approximately 5.5 acres of National Forest System land located in the County, as generally known as the “Ryan Land Exchange-Wildwood Parcel Conveyance to Pitkin County;”
- “the 12 parcels of National Forest System land located in the County totaling approximately 5.92 acres, as generally known as the “Ryan Land Exchange-Smuggler Mountain Patent Remnants Conveyance to Pitkin County;”
- “the approximately 40 acres of Bureau of Land Management land located in the County, as generally known as the “Ryan Land Exchange-Crystal River Parcel Conveyance to Pitkin County.”

The bill provides that it is the intent of Congress that this land exchange be completed within one year of the date of enactment, unless the Secretaries of Agriculture and Interior and the County, agree to extend this deadline. The bill provides that land obtained by the U.S. under this exchange is to become part of the White River National Forest.

H.R. 1129 provides that the value of the lands exchanged under this agreement is to be equal to the other. After appraisal of both sets of property, if the value of the land to be received by the U.S. exceeds that of the land being conveyed to the County, the County is directed to waive repayment. However, if the value of the land to be received by the County exceeds that of the land being conveyed to the U.S., the County is directed to compensate the U.S. either monetarily or through conveying an additional 160 acre parcel known as the Sellar Park Parcel.

The bill prohibits the conveyance to the County of the 40-acre land entitled the “Ryan Land Exchange-Crystal River Parcel Conveyance to Pitkin County,” until the Country grants to the Aspen Valley Land Trust, the Roaring Fork Conservancy, or any other entity acceptable to the Secretary of the Interior and the County, and meeting certain requirements.

Additional Information: According to GSA, as of September 30, 2004, the federal government owned 36.6 percent of the land in Colorado. According to House Report [109-252](#), if the U.S. receives funds from Pitkin County, the payment is to be deposited in the fund under “Sisk Act” and used to acquire additional land for national forests in Colorado. Additionally, the report outlines that U.S. acquisition of the 35 acres of the Ryan Property, completes the “Ashcroft Preservation Project,” which was “initiated by the Forest Service in 1980 to consolidate its National Forest land ownership in and around the historic Ashcroft Townsite.” In regards to the property located on Smuggler Mountain, the report states, “Smuggler Mountain is a heavily used recreational area where the Forest Service is trying to consolidate its ownership.”

Committee Action: On March 3, 2005, the resolution was introduced and referred to the House Committee on Resources, which held a mark-up and ordered to be reported, as amended the bill by unanimous consent on September 22, 2005.

Cost to Taxpayers: CBO estimates implementation of H.R. 1129 would not significantly affect the federal budget and federal administrative or land-management costs will not be increased by more than \$500,000.

Constitutional Authority: The Committee, in House Report 109-252, cites constitutional authority in Article 1, Section 8. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

Does the Bill Expand the Size and Scope of the Federal Government?: Although the bill provides for the increase of federal land, it also conveys approximately the same acreage of land to the State of Colorado.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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S. 136 — Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act (*Sen. Feinstein, D- CA*)

Order of Business: The bill is expected to be considered on Tuesday, December 6th, under a motion to suspend the rules and pass the bill.

Summary: S. 136 would authorize the Secretary of Interior to make payments to the Bass Lake Joint Union Elementary School District and the Mariposa Unified School District, near Yosemite National Park (YNP), for educational services. Funding would be limited to paying public employees for educational services and *not* for construction or capital improvements. \$2 million over five years (\$400,000 per year) would be authorized for these payments in new spending subject to appropriations. The Secretary would also be allowed to exchange certain land in YNP for public land outside the park, purportedly so that park facilities may be located outside the boundaries of the park.

In addition, S. 136 would modify the boundary of the Golden Gate National Recreation Area to include the 4,076-acre Rancho Corral de Tierra (currently owned by a local nonprofit) as well as 300 acres of property in the Devil’s Slide Area. Finally, the bill adjusts the boundary of the Redwood National Park. It is not clear whether this adjustment substantively alters or expands the current land area covered by the Park.

Additional Background: According to S.Rept. 109-63, the funding for the two California school districts is intended to compensate them for the loss in school formula funding that occurred as a result of fewer families living in YNP after flooding in 1997.

With regard to the increase in federal lands, it important to note that according to GSA, as of September 30, 2004, the federal government owned 45.3 percent of land in California.

Committee Action: On July 26, 2005, S. 136 passed the Senate by unanimous consent and was subsequently referred to the House Resources Committee, which took no further official action on the bill.

Cost to Taxpayer: According to CBO, S. 136 would authorize \$24 million in spending over five years subject to appropriations and could possibly increase direct spending in “insignificant” amounts.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill creates a new use of funds for the benefit of two school districts in California and increases the size of the federal government by expanding federal landholdings by over 4,000 acres.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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H.Con.Res. 273 — Recognizing the 50th Anniversary of the Montgomery Bus Boycott (Rogers, R-AL)



Order of Business: The resolution is scheduled to be considered on Tuesday, December 6th, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 273 would resolve that:

“Congress recognizes and honors the 50th anniversary of the Montgomery bus boycott; and recognizes the historical significance of the Montgomery bus boycott to the United States.”

Additional Background: On December 1, 1955, Rosa Louise Parks’ refusal to give up her bus seat to a white man and her subsequent arrest began the modern-day Civil Rights Movement in the United States. That day, Rosa Louise Parks was arrested for refusing to give up her seat to a white man on the orders of the bus driver because the white section was full. The arrest of Rosa Louise Parks led African Americans and others to boycott the Montgomery city bus line until the buses in Montgomery were desegregated, a boycott that lasted 381 days. On November 13, 1956, the United States Supreme Court affirmed a district court decision that held that Montgomery segregation codes deny and deprive African Americans of the equal protection of the laws.

Committee Action: On October 25, 2005, the resolution was referred to the House Committee on Government Reform, which took no official action on it.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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S. 1886 — Naval Vessels Transfer Act of 2005 — *as reported* (Sen. Lugar, R-IN)

Order of Business: The bill is scheduled for consideration on Tuesday, December 6, 2005, under a motion to suspend the rules and pass the bill.

Summary: S. 1886 would authorize the President to transfer certain vessels to specific foreign recipients, pursuant to the Foreign Assistance Act (section 516) and the Arms Export Control Act (section 21). The following would be transferred on a *grant* basis:

- To Greece, the OSPREY class minehunter coastal ship PELICAN;
- To Egypt, the OSPREY class minehunter coastal ships CARDINAL and RAVEN;
- To Pakistan, the SPRUANCE class destroyer ship FLETCHER; and
- To Turkey, the SPRUANCE class destroyer ship CUSHING.

The following would be transferred on a *sale* basis:

- To India, the AUSTIN class amphibious transport dock ship TRENTON;
- To Greece, the OSPREY class minehunter coastal ship HERON; and
- To Turkey, the SPRUANCE class destroyer ship O'BANNON.

The bill states that: 1) the value of the vessels transferred on a grant basis shall not be counted against the aggregate value of excess defense articles transferred to countries in

any fiscal year under the Foreign Assistance Act of 1961; 2) transfer costs shall be charged to the recipient; and 3) to the maximum extent practicable, the country to which a vessel is transferred shall have necessary vessel repair and refurbishment carried out at U.S. shipyards (including U.S. Navy shipyards).

The bill terminates transfer authority two years after enactment of this Act.

Committee Action: S. 1886 was introduced on October 18, 2005, in the Senate, and passed the Senate by unanimous consent the same day. The bill was received in the House and referred to the International Relations Committee, which took no official action.

Cost to Taxpayers: A CBO score of S. 1886 is unavailable, but the bill does not authorize new expenditures. The bill does allow vessels to be transferred by grant to other countries, but it is not clear if this would affect receipts or expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 2017 — Torture Victims Relief Reauthorization Act of 2005 — as introduced (Smith, R-NJ)

Order of Business: The bill is scheduled for consideration on Tuesday, December 6, 2005, under a motion to suspend the rules and pass the bill.

H.R. 2017 reauthorizes the Torture Victims Relief Act (H.R. 4309 in the 105th Congress). The Torture Victims Relief Act was last reauthorized by H.R. 1813 in the 108th Congress. [Click here](http://johnshadegg.house.gov/rsc/LB111903.pdf) to read the RSC Leg. Bulletin on H.R. 1813: <http://johnshadegg.house.gov/rsc/LB111903.pdf>.

Summary: H.R. 2017 would amend the Torture Victims Relief Act (TVRA) of 1998.

Domestic Treatment Centers. The bill authorizes \$50 million for FY06-FY07 to the Department of Health and Human Services (HHS) to make grants to programs in the U.S. that provide rehabilitation and treatment to victims of torture. This is a \$5 million increase over FY04-FY05 funding levels. The services may also include various social

services, physical and psychological rehabilitation, and legal services for victims of torture.

Foreign Treatment Centers. The bill authorizes \$25 million for FY06-FY07 (pursuant to chapter 1 of part 1 of the Foreign Assistance Act of 1961) through U.S. Agency for International Development (USAID) to treat victims of torture overseas. This is a \$2 million increase over FY04-FY05 funding levels.

U.N. Voluntary Fund for Victims of Torture. Appropriates \$15 million for FY06-FY07 (pursuant to chapter 3 of part 1 of the Foreign Assistance Act of 1961) to the U.N. Voluntary Fund to provide services and assistance for victims of torture. This is a \$2 million increase over FY04-FY05 funding levels.

Committee Action: H.R. 2017 was introduced on April 28, 2005, and referred to the Committee on International Relations' Subcommittee on Africa, Global Human Rights and International Relations. The bill was marked-up on June 30, 2005, and by unanimous consent the full committee agreed to seek consideration under suspension of the rules. The bill was also referred to the House Energy and Commerce Committee's Subcommittee on Health, which took no official action.

Cost to Taxpayers: CBO estimates that H.R. 2017 "would authorize the appropriation of \$44 million in 2006 and \$46 million in 2007 for foreign and domestic programs to assist victims of torture. CBO estimates that implementing the bill would cost \$17 million in 2006 and almost \$90 million over the 2006-2010 period, assuming appropriation of the authorized amounts. The bill would not affect direct spending or revenues."

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill reauthorizes current federal programs.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution." [*emphasis added*]

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H.R. 3269 — To amend the International Organizations Immunities Act to provide for the applicability of that Act to the Bank for International Settlements — *as introduced* (Leach, R-IA)

Order of Business: The bill is scheduled for consideration on Tuesday, December 6, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3269 would amend the International Organizations Immunities Act to extend the applicability of the Act to include the Bank for International Settlements (BIS). Thus, the bill would grant diplomatic immunity under this Act to the BIS, providing the same immunity currently given to other foreign central banks and international organizations.

Additional Information: The International Organizations Immunities Act (22 U.S.C. 288 et seq.) currently grants over 70 “international organizations” diplomatic immunity equivalent to the immunity provided to foreign governments such as: immunity “from suit and every form of judicial process,” exemption of baggage and effects of officers and employees from customs duties and internal revenue taxes, and exemption from property taxes. For more information on the Bank for International Settlements, please see: <http://www.bis.org/>

Committee Action: H.R. 3269 was introduced on July 13, 2005, and referred to the Committee on International Relations. The bill was marked up on September 15, 2005, and it was reported to the full House by unanimous consent.

Cost to Taxpayers: A CBO score of H.R. 3269 is unavailable, but the bill does not authorize new expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill adds the BIS to a list of international organizations granted diplomatic immunity by virtue of the United States’ participation.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.Con.Res. 280 — Mourning the horrific loss of life caused by the floods and mudslides that occurred in October 2005 in Central America and Mexico and expressing the sense of Congress that the United States should do everything possible to assist the affected people and communities — *as reported* (Burton, R-IN)

Order of Business: The resolution is scheduled for consideration on Tuesday, December 6, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res. 280 resolves that, among other findings, Congress:

- “mourns the horrific loss of life caused by the floods and mudslides that occurred in October 2005 in Central America and Mexico;
- “commits to provide the necessary resources and to stand by the people of Costa Rica, El Salvador, Guatemala, and Mexico in the relief, recovery, and rebuilding efforts;
- “applauds the prompt humanitarian response to this natural disaster by the United States Agency for International Development, the United States Armed Forces, and other departments and agencies of the United States Government, the United Nations and other international organizations, and nongovernmental organizations;
- “affirms its commitment to additional United States support for relief and long-term reconstruction efforts in areas affected by the flooding; and
- “encourages the Administration and other international donors to provide immediate and long-term assistance for the reconstruction of affected infrastructure that is a requisite for the economic and social development of the devastated communities.”

In addition, the resolution states it is the “sense of Congress that it should be the policy of the United States:

- “to promote economic growth and improved living standards, reduce poverty, and promote democracy and the rule of law in the countries of Central America;
- “in concert with multilateral humanitarian organizations, the Organization of American States and the Inter-American Development Bank, to actively support the reconstruction of affected communities in places to be determined by respective governments in collaboration with representatives of such communities;
- “to expedite humanitarian relief and reconstruction efforts in order to mitigate the immediate and long-term threats to public health, economic development, and security in Central America;
- “to provide technical assistance to Central American governments in order to strengthen the capacity of first responders and governmental institutions at the national, provincial, and local levels in the area of disaster management coordination and preparedness, including information and communications systems to help with the response to natural disasters; and
- “to encourage the governments of these countries to improve disaster mitigation techniques and compliance among all key sectors of their societies.

Additional Information: In early October, 2005, Tropical Storm Stan hit the coast of Central America and caused significant flooding and mudslides. Early reports indicated that over 750 people died as a result of the storm, with hundreds more missing. The storm affected six different countries in Central America: Guatemala, El Salvador, Mexico, Nicaragua, Honduras, and Costa Rica.

Committee Action: H.Con.Res. 280 was introduced on October 27, 2005, and referred to the Committee on International Relations’ Subcommittee on the Western Hemisphere.

The bill was marked up on November 2nd, and it was reported to the full House by unanimous consent.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.Res. 438 — Urging member states of the United Nations to stop supporting resolutions that unfairly castigate Israel and to promote within the United Nations General Assembly more balanced and constructive approaches to resolving conflict in the Middle East—*as introduced (Rothman, D-NJ)*

Order of Business: The resolution is scheduled to be considered on Tuesday, December 6th, under a motion to suspend the rules and pass the bill.

Summary (as introduced—the reported version was not available at press time):

H.Res. 438 would resolve that the House “urges member states of the United Nations to (1) stop supporting resolutions that unfairly castigate Israel; and (2) promote within the United Nations General Assembly more balanced and constructive approaches to resolving conflict in the Middle East.”

Additional Background: As the resolution notes, “in recent years, the United Nations General Assembly and United Nations Security Council have engaged in a pattern of introducing and approving hundreds of measures and resolutions that unfairly criticize and condemn Israel.” The resolution also points out that, “for the past 30 years, the United Nations has funded 3 entities that support anti-Israel propaganda, including the Division for Palestinian Rights (DPR), the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP), and the Special Committee to Investigate Israeli Human Rights Practices Affecting the Palestinian People and Other Arabs of the Occupied Territories (SCIIHRP).”

For more information on DPR, visit this webpage:

<http://www.un.org/Depts/dpa/qpalnew/dpr.htm>

For more information on CEIRPP, visit this webpage:

<http://www.un.org/Depts/dpa/qpalnew/committee.htm>

For more information on SCIIHRP, visit this webpage:

<http://www.un.org/documents/ga/res/48/a48r041.htm>

To review UN resolutions by year, visit this webpage:

<http://www.un.org/documents/scres.htm>

For more background on Israel and the UN, visit this webpage:

http://www.jewishvirtuallibrary.org/jsource/UN/israel_un.html

The 60th General Assembly of the United Nations is occurring now in New York City.

Committee Action: On September 14, 2005, the resolution was referred to the International Relations Committee. On November 15, 2005, the Committee's Middle East and Central Asia Subcommittee forwarded the resolution to the full Committee by unanimous consent. On November 16th, the Committee marked up, amended, and ordered the resolution reported to the full House by unanimous consent.

Administration Position: The United States regularly votes against resolutions that condemn Israel.

Cost to Taxpayers: The resolution would authorize no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.Res. 535 — Honoring the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the tenth anniversary of his death (*Engel, D-NY*)

Order of Business: The resolution is scheduled to be considered on Tuesday, December 6th, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 535 would resolve that the House:

- “honors the historic role of Yitzhak Rabin for his distinguished service to the Israeli people and extends its deepest sympathy and condolences to the family of Yitzhak Rabin and the people of Israel on the tenth anniversary of his death;
- “recognizes and reiterates its continued support for the close ties and special relationship between the United States and Israel;
- “expresses its admiration for Yitzhak Rabin’s legacy and reaffirms its commitment to the process of building a just and lasting peace between Israel and its neighbors;
- “condemns any and all acts of terrorism; and
- “reaffirms unequivocally the sacred principle that democratic leaders and governments must be changed only by the democratically-expressed will of the people.”

Additional Background: Yitzhak Rabin served as Israel’s Ambassador to the United States from 1968-1973, Minister of Defense from 1984-1990, and Prime Minister from 1974-1977 and from 1992-1995. Rabin, an Israeli military hero and Labor Party leader, is perhaps best known for his role in the Declaration of Principles framework agreement between Israel and the Palestinians (1993) and the peace treaty between Israel and Jordan (1994). He received the Nobel Peace Prize in 1994.

On November 4, 1995, Rabin was assassinated after attending a peace rally in Tel Aviv.

Visit this webpage to learn more about Yitzhak Rabin:

<http://nobelprize.org/peace/laureates/1994/rabin-bio.html>

Committee Action: On November 4, 2005, the resolution was referred to the International Relations Committee. On November 15, 2005, the Committee’s Middle East and Central Asia Subcommittee forwarded the resolution to the full Committee by unanimous consent. On November 16th, the Committee marked up and ordered the resolution reported to the full House by unanimous consent.

Cost to Taxpayers: The resolution would authorize no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.Res. 479 — Recognizing the 50th Anniversary of the Hungarian Revolution that began on October 23, 1956 and reaffirming the friendship between the people and governments of the United States and Hungary (*Lantos, D-CA*)

Order of Business: The resolution is scheduled to be considered on Tuesday, December 6th, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 273 would resolve that the House of Representatives:

- 1) “commends the people of Hungary as they mark the 50th anniversary of the 1956 Hungarian Revolution which set the stage for the ultimate collapse of communism in 1989 throughout Central and Eastern Europe, including Hungary, and two years later in the Soviet Union itself;
- 2) “expresses condolences to the people of Hungary for those who lost their lives fighting for the cause of Hungarian freedom and independence in 1956, as well as for those individuals executed by the Soviet and Hungarian communist authorities in the five years following the Revolution, including Prime Minister Imre Nagy;
- 3) “welcomes the changes that have taken place in Hungary since 1989, believing that Hungary’s integration into NATO and the European Union, together with

- similar developments in the neighboring countries, will ensure peace, stability, and understanding among the great peoples of the Carpathian Basin; and
- 4) “reaffirms the friendship and cooperative relations between the governments of Hungary and the United States and between the Hungarian and American people.”

Additional Background: As the resolution indicates, on October 23, 1956, hundreds of university students and Hungarian citizens marched in the streets of Budapest to protest against the communist government of Hungary. In response, the Hungarian government, led by Prime Minister Imre Nagy, took several steps to democratize, including releasing political prisoners, calling for a withdrawal of all Soviet Union troops, and withdrawing from the Warsaw Pact. These steps led to a major Soviet Union counteroffensive to suppress the uprising. Nagy was seized (and later executed) and hundreds of Hungarians were tried and executed by the post-1956 Hungarian government; 200,000 other Hungarians fled the country. This led to a prolonged period of Soviet domination until October 23, 1989, when the Republic of Hungary once again declared its political independence.

Committee Action: On October 6, 2005, the resolution was referred to the House Committee on International Relations, which reported it by unanimous consent on November 16th for consideration by the full House of Representatives.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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S. 584 — Betty Dick Residence Protection Act (*Sen. Salazar, D-CO*)

Order of Business: The bill is expected to be considered on Wednesday, November 16th, by unanimous consent. A similar bill, H.R. 432, passed the House earlier this year by unanimous consent.

Summary: S. 584 would give Mrs. Betty Dick a right of occupancy for the remainder of her life to land within the boundary of Rocky Mountain National Park. She would pay annually for this life estate (see additional background).

Additional Background: S. 584 addresses the summer cabin of Mrs. Betty Dick, which is within the boundary of Rocky Mountain National Park in the west unit near the town of Grand Lake, Colorado. She is 83-years old and wishes to continue residing in the park for the remainder of her life. She acquired the right to use and occupy the property through inheritance from her late husband Fred Dick. The parcel she resides on was the object of a divorce settlement and partial acquisition by the National Park Service in 1977. The

National Park Service (NPS) subsequently entered into a 25-year reservation of use and occupancy with the late Mr. Dick, which expired on July 16th, 2005.

The NPS agreed to allow Mrs. Dick to continue residing in her cabin this past summer. Mrs. Dick disputes the circumstances of the 25-year agreement and would like the NPS to grant her a life estate that she believes was the original intent of the 1980 agreement, notwithstanding the specific terms of the document. This legislation would grant Mrs. Dick that life estate. S. 584 would require the NPS to allow Ms. Dick to lease part of the original property, which includes a seasonal residence and outbuildings, for the remainder of her life at a below market rental price of \$300 per year. The NPS currently receives no payments for the property, although it received \$7,500 in 1980 for a 25-year lease. NPS expects that the property could generate around \$6,300 in annual rental receipts if the property was leased at market rates.

Committee Action: On November 16, 2005, S. 584 passed the Senate by unanimous consent. The bill was subsequently held at the House desk for further consideration and not referred to the appropriate committee of jurisdiction (Resources).

Cost to Taxpayer: According to CBO, S. 584 would have no significant impact on the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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